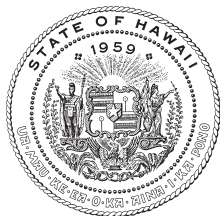


The Environmental Notice

A SEMI-MONTHLY BULLETIN (UNDER SECTION 343-3, HRS) OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL

NOVEMBER 8, 2005



LINDA LINGLE

GOVERNOR

OFFICE OF
ENVIRONMENTAL QUALITY CONTROL (OEQC),
DEPARTMENT OF HEALTH
GENEVIEVE SALMONSON
DIRECTOR, OEQC

*The Environmental Notice -
review the environmental impacts of
projects proposed in Hawai'i!*

Other Resources available . . .

- *June 2004 Guidebook for Hawai'i's Environmental Process (now, Online!)*
- *Environmental Assessments in Adobe Acrobat PDF Format (1990-2003) and Study Resource Library*
- *Environmental Council Annual Reports (now, Online!)*
- *"How to Plant a Native Hawaiian Garden" (now online!)*

OEQC

235 SOUTH BERETANIA STREET
LEIOPAPA A KAMEHAMEHA
SUITE 702

HONOLULU, HAWAII 96813

Telephone (808) 586-4185

Facsimile (808) 586-4186

Molokai/Lana'i: 1-800-468-4644 ext. 64185

Kauai: 274-3141 ext. 64185

Maui: 984-2400 ext. 64185

Hawaii: 974-4000 ext. 64185

CONTEMPORARY MUSEUM FONSI

The Dept. of Planning & Permitting has issued a FONSI for The Contemporary Museum Expansion EA. The applicant proposes to utilize three properties, which are listed on the Hawai'i Register of Historic Places, for museum related activities, including offices, café and gift shop. The museum was first established 1988 and now proposes to construct new buildings on one parcel and reuse the historic Pietsch/Peterson residence and Johnson Residence/Persis Office on adjoining parcels. New buildings will be constructed over the existing tennis court to accommodate gallery areas, storage, and staff parking. The Pietsch/Peterson Residence will be adapted to accommodate the café, Foyer Gallery, docent and staff offices, library and a residence for visiting artists. The Johnson Residence/Persis Office will continue as office use for museum staff and residence for staff/visiting artists. See details on page 7.

Wahiawa Transit Center

The Dept. of Transportation Services has submitted an EA for the construction of a transit center and park & ride in Wahiawa Town. The parcel is on California Ave. near North Cane and is currently being used as a parking lot. The new building will be 2 stories high, with an 8-bay transit center on the ground level and a 58-stall parking lot on the upper level. The building will be designed to allow for extra levels to provide additional parking for the Judiciary and Civic Center. See page 5.

Coast Guard Oil Spill Rule

The USCG is proposing a rule to change the requirements for oil-spill removal equipment under the vessel response plans and MTR response plans. These changes would increase the minimum available spill removal equipment required for tank vessels and MTR facilities, add requirements for new response technologies, and clarify methods and procedures for responding to oil spills in coastal waters. For more information see page 14.

THREE ADMINISTRATIVE JUDGES TO PRESIDE OVER HONOLULU AIRPORT IRRADIATOR HEARING

The Nuclear Regulatory Commission has established an Atomic Safety and Licensing Board to preside over proceedings for Paina Hawai'i, LCC, June 27, 2005, application for authorization to build and operate a commercial pool-type industrial irradiator near the Honolulu International Airport. The Atomic Safety and Licensing Board will consist of the following administrative judges: Thomas S. Moore, Chair, Atomic Safety and Licensing Board Panel; Dr. Paul B. Abramson; and, Dr. Anthony J. Baratta. The proceeding concerns an October 3, 2005, request for hearing regarding the application submitted by the Concerned Citizens of Honolulu. See page 20.

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We provide access to our activities without regard to race, color, national origin (including language), age, sex, religion, or disability. Write or call OEQC or our departmental Affirmative Action Officer at Box 3378, Honolulu, HI 96801-3378 or at (808) 586-4616 (voice/tty) within 180 days of a problem. OEQC intends to make the information in this bulletin accessible to everyone. Individuals that require this material in a different format (such as large type or braille), should contact our office for assistance.

Definitions

Your guide to the Environmental Review Process

Draft Environmental Assessment

A project or action that may affect the environment cannot be implemented until an Environmental Assessment (EA) is prepared in accordance with Chapter 343, Hawai'i Revised Statutes (HRS). If the lead State or county agency (the *proposing agency* for agency actions, or the *approving agency* for applicant actions) anticipates that the project will have no significant environmental impact, then affected agencies, individuals, and organizations must be consulted and a Draft EA (DEA) is written and public notice is published in this periodic bulletin (see, section 343-3, HRS) known as the *Environmental Notice*. The public has 30 days to comment on the Draft EA from the date of the first notice.

Final Environmental Assessment and Finding of No Significant Impact

After the lead agency reviews the public comments, if it determines that the project will have no significant effect on the environment, then it will prepare a Final EA (FEA) and issue a Finding of No Significant Impact (FONSI) formerly called a *Negative Declaration*. The Final EA must respond to all public comments. An Environmental Impact Statement will not be required and the project may now be implemented. The public has 30 days from the first notice of a FONSI in this periodic bulletin to ask a court to require the preparation of an EIS.

Final Environmental Assessment and Environmental Impact Statement Preparation Notice

When a lead agency decides that a project may have a significant environmental impact, an Environmental Impact Statement (EIS) must be prepared prior to implementing the project. Like the DEA (see *above*), affected agencies, individuals and organizations must be consulted prior to preparation of the final EA (FEA) and issuance of a determination called an EIS preparation notice (EISPN). (The EA is called *final*, to distinguish it from the draft, *above*). After the FEA is written by the lead agency, and notice of the FEA and EISPN is published in this periodic bulletin, any agency, group, or individual has 30 days from the first publication of the EISPN to request to become a consulted party and to make written comments regarding the environmental effects of the proposed action. The public (including an applicant) has 60 days from the first notice of an EISPN in this periodic bulletin to ask a court to not require the preparation of an EIS.

Draft Environmental Impact Statement

After receiving the comments on the FEA and EISPN (see *above*), the lead agency or private applicant must prepare a Draft Environ-

mental Impact Statement (DEIS) prior to project implementation. This document must completely disclose the likely impacts of a project. Direct, indirect and cumulative impacts must be discussed along with measures proposed to mitigate them. The public has 45 days from the first publication date in this periodic bulletin to comment on a DEIS. The DEIS must respond to comments received during the FEA-EISPN comment period in a *point-by-point* manner.

Final Environmental Impact Statement

After considering all public comments filed during the DEIS stage, the agency or applicant must prepare a Final EIS (FEIS). The FEIS must respond in a *point-by-point* manner to all comments from the draft stage. Requisite deeper analyses must be included in the FEIS. For applicant projects, the approving agency is authorized to accept the FEIS. For agency project the Governor or the county mayor is the accepting authority. Only after the EIS is accepted may the project be implemented.

Acceptability

If the FEIS is accepted, the law requires that notice of this be published in this periodic bulletin. The public has 60 days from the date of first notice of acceptance to ask a court to vacate the acceptance of an EIS. In the case of applicant actions, the law requires that an approving agency must make a determination on acceptance within thirty-days of receipt of the FEIS or the FEIS is deemed accepted. Also, for applicant actions, the law provides for an administrative appeal of a non-acceptance to the Environmental Council.

National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal projects to prepare an EA or EIS. It many ways it is similar to Hawai'i's law. Some projects require both a state (or county) and federal EIS and the public comment procedure should be coordinated. Although not required by law, the OEQC publishes NEPA notices in this periodic bulletin to help keep the public informed of important federal actions.

Special Management Area

The Special Management Area (SMA) is along the coastlines of all our islands and development in this area is generally regulated by Chapter 205A, HRS and county ordinance. A special subset of the SMA that is regulated by Chapter 343, HRS is the Shoreline Setback Area. Most development in this area requires a Special Management Permit (SMP). This periodic bulletin posts notice of these SMP applications to encourage public input.

Shoreline Certifications

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback (an area contained between the certified shoreline and a prescribe distance inland (usually 40 feet) from the certified shoreline). The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This periodic bulletin publishes notice from the Department of Land and Natural Resources of both shoreline certification applicants and of final certifications or rejections.

Environmental Council

The Environmental Council is a fifteen-member citizen board appointed by the Governor to advise the State on environmental concerns. The council makes the rules that govern the Environmental Impact Statement process. The agendas of their regular meetings are published on the Internet at <http://www.ehawaii.gov/calendar> and the public is invited to attend.

Exemption Lists

Government agencies must keep a list describing the minor activities they regularly perform that are declared exempt from the environmental review process. These lists are reviewed and approved by the Environmental Council. This periodic bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

Conservation District

Any use of land in the State Conservation District requires a Conservation District Use Application (CDUA). These applications are reviewed and approved by the Board of Land and Natural Resources (BLNR). Members of the public may intervene in the permit process. Notice of these permit applications is published in this periodic bulletin.

Endangered Species

This periodic bulletin is required by Section 343-3(c), HRS, to publish notice of public comment periods or public hearings for habitat conservation plans (HCP), safe harbor agreements (SHA), or incidental take licenses (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).

O'ahu Notices

NOVEMBER 8, 2005

Consuelo Subdivision (HRS 343 DEA)

District: Wai'anae
TMK: (1) 8-5-003:020
Proposing Agency: Dept. of Hawaiian Home Lands
1099 Alakea St., Ste. 1230, Honolulu, HI 96813
Contact: Amy E. Arakaki (587-6450)

Determination Agency: Same as above.
Consultant: EnviroServices & Training Center, LLC
2850 Pa'a St., Ste. 150, Honolulu, HI 96819-4441
Contact: Rose Cruz Churma (239-6365)

Public Comment Deadline: December 8, 2005
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

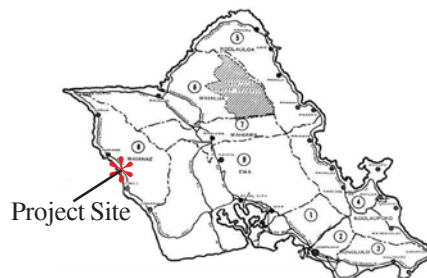
Permits Required: NPDES, Building and other County Permits

The Department of Hawaiian Home Lands (DHHL) proposes to subdivide the 3.353-acre parcel into 21 house lots; install the infrastructure necessary to provide access and utility services; and construct affordable single family homes on.

The site is located on parcel TMK 8-5-003:020 at 85-576 B Wai'anae Valley Road in Wai'anae. Plantation Road, which is privately owned, borders the site to the south, by Ho'opuhi Road to the west, and by other parcels to the north and east. The vacant parcel is relatively flat; its elevation increases gradually to the east from 15 to 30 feet above sea level.

The property is 500 feet east of the confluence of Kawiwi and Kaupuni Streams. The Pacific Ocean (Pokai Bay) is approximately 2,500 feet southwest of the subject parcel. The parcel is about one quarter of a mile from Farrington Highway.

The Consuelo Zobel Alger Foundation (Consuelo), a Hawai'i non-profit corporation, donated the 3.353 parcel of land to DHHL in May 2004, to further Consuelo's goals of providing affordable housing for low-income families. The property was used for agriculture but has remained fallow for the past decade. It is currently zoned for agriculture (AG-2, General Agricultural District). DHHL is exempt from State and local land use requirements pursuant to the Hawaiian Homes Commission Act (HHCA) and legal memorandum dated May 6, 1994 by the State Attorney General.



NOVEMBER 8, 2005

Wahiawa Transit Center & Park and Ride (HRS 343 DEA)

District: Wahiawa
TMK: (1) 7-4-006:002 and 7-4-006:012 (por.)
Proposing Agency: C & C, Dept. of Transportation Services
 650 S King St., 3rd. Flr., Honolulu, HI 96813
 Contact: Jolie Yee (527-6654)

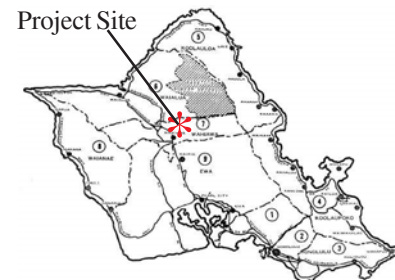
Determination Agency: Same as above.
Consultant: AM Partners, Inc.
 1100 Alakea St., Ste. 800, Honolulu, HI 96813
 Contact: Jennifer Wakazuru-Kim (526-2828 X 240)

Public Comment Deadline: December 8, 2005

Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the proposing agency with copies to the consultant and OEQC.

Permits Required: Building and other County permits

The identified land parcels for the transit center are adjacent to the existing Wahiawa Civic Center. These two parcels are part of five contiguous parcels owned by the State of Hawai'i within the block that is surrounded by California Avenue, Cane Street, Center Street and Lehua Street. The transit center will be housed on the ground floor with parking provided on the second floor. Although the building is only two stories, the structure will be designed to allow future construction of three additional parking levels in a separate project by others. The ground level will house eight (8) bus bays, passenger waiting areas, single use restroom, and storage closets. The second level will accommodate 58 parking stalls. Vehicular ingress/egress to the bus bays are via California Avenue and Center Street. Vehicular entry and exit to the second level are via ramps accessible only on Center Street. Two staircases at opposite corners of the structure provide pedestrian access to the upper level. An elevator located on the eastern corner near California Avenue will provide an alternate access.



Honolulu's Department of Transportation Services (DTS) proposes to develop a transit center to accommodate express, trunk, and circulator bus services. Residents wanted transit services that could take them around their neighborhoods and provide faster service to downtown Honolulu. To accommodate this vision, a new hub-and-spoke bus route is being phased throughout O'ahu that relies on coordinated schedules to make transfers easy and convenient.



NOVEMBER 8, 2005

Constantinau After-the Fact Seawall and Shoreline Setback Variance, Mokule'ia (HRS 343 DEA)

District: Mokule'ia
TMK: (1) 6-8-10:22
Applicant: Renau Constantinau
68-691 Farrington Hwy., Wai'alua, HI 96791
Contact: Mary O'Leary (536-5695)

Approving Agency: C & C, Dept. of Planning & Permitting
650 S King St., 7th Flr., Honolulu, HI 96813
Contact: Steve Tagawa (523-4817)

Consultant: Analytical Planning Consultants, Inc.
928 Nu'uuanu Ave., Honolulu, HI 96817
Contact: Mary O'Leary

Public Comment

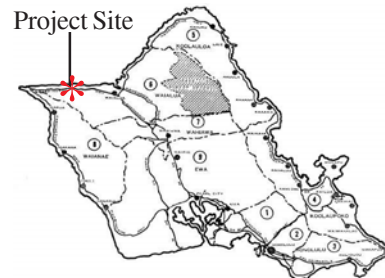
Deadline: December 8, 2005
Status: Draft environmental assessment (DEA) notice pending 30-day public comment. Address comments to the applicant with copies to the approving agency, consultant and OEQC.

Permits

Required: Shoreline Setback Variance, Building

The shoreline along this portion of Mokule'ia Beach is completely hardened with individual seawalls, many of which are unauthorized (illegal). The seawalls located along the 4 properties to the west (Kaena) of the site were reconstructed under a Shoreline Setback Variance granted by the City Department of Planning and Permitting (fka Department of Land Utilization) in 1998.

Retaining the existing improvements require that a shoreline setback variance be obtained pursuant to Shoreline Setback Regulations, Chapter 23, Revised Ordinances of Honolulu (ROH), prior to necessary building permits.



The applicant proposes to retain a 10 feet high vertical concrete seawall, backfill and concrete deck, a 572-square foot open lanai, low tile fence walls and a 56-square foot storage shed, which are within the 40-foot shoreline setback.

Located at 68-691 Farrington Highway, the existing seawall forms the 61.93-foot makai boundary of the property that contains a dwelling and detached garage built in the early 1960s. The sand beach along this portion of Mokule'ia has a history of erosion. The property is currently 6,076 square-feet in size and has lost approximately 2,518 square-feet (of land) to erosion from its original configuration.



The Contemporary Museum (HRS 343 FEA-FONSI)

District: Honolulu
TMK: (1) 2-5-8: 1, 2 and 4
Applicant: The Contemporary Museum
 2411 Makiki Heights Dr., Honolulu, HI 96822
 Contact: Georgianna Lagoria (526-1322 ext. 14)

Approving Agency: C & C, Dept. of Planning and Permitting
 650 S King St., Honolulu, HI 96813
 Contact: Sharon Nishiura (523-4256)

Consultant: Kusao & Kurahashi, Inc.
 2752 Woodlawn Dr., Ste. 5-202, Honolulu, HI 96822
 Contact: Keith Kurahashi (988-2231)

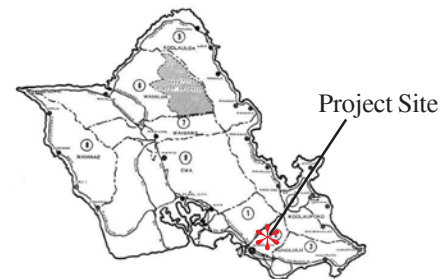
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: Conditional Use Permits, Major & Minor

and additions to the existing museum for the unpacking and packing of storage crates. Two (2) existing storage sheds will be replaced with new sheds and several minor buildings (security residence, storage building and maintenance office building) will be demolished. Various museum functions/activities that Pietsch/Peterson Residence will be adapted to accommodate the café, Foyer Gallery, docent and staff offices, library and a residence for visiting artists. The Johnson Residence was approved as offices for the Persis Corporation and an accessory caretaker's residence under a previous Conditional Use Permit for use of a historic structure. The applicant proposes to continue the office use for museum staff and the residence for staff/visiting artist. The applicant also proposes modifications to the existing museum operation, including the following: hours; maximum occupancy; use of amplification equipment; number and size of special events and the size of buses to transport visitors

The applicant, The Contemporary Museum, proposes to apply for a Conditional Use Permit (CUP) to utilize three (3) properties, which are listed on the Hawai'i Register of Historic Places, for a museum and other related activities, including offices, café and gift shop. The applicant first established the museum use on Parcel 1 in 1988. The applicant now proposes to expand the existing facilities and operation by constructing new buildings on Parcel 1 and reusing the historic Pietsch/Peterson residence Office (Parcel 2) located two (2) lots away to the east.

The new buildings will be constructed over the existing tennis court, at the western portion of the site, to accommodate gallery areas, storage for the museum's permanent collection and staff parking. The applicant also proposes renovations



NOVEMBER 8, 2005

Kane'ohe Yacht Club South Drainage Easement Stabilization (HRS 343 FEA-FONSI)

District: Ko'olaupoko
TMK: (1) 4-4-22:32
Applicant: Kane'ohe Bay Yacht Club
44-503 Kane'ohe Bay Dr., Kane'ohe, HI 96744
Contact: Tom Valentine (224-8235)

Approving Agency: C & C, Dept. of Planning & Permitting
650 S King St., 7th Flr., Honolulu, HI 96813
Contact: Steve Tagawa (523-4817)

Consultant: Kane'ohe Bay Yacht Club
44-503 Kane'ohe Bay Dr., Kane'ohe, HI 96744
Contact: Harvey Minsky, P.E. (247-4121)

Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: Shoreline Setback Variance, Building & grading

3) A chain-link fence will be installed along the entire length of the bank stabilization project.

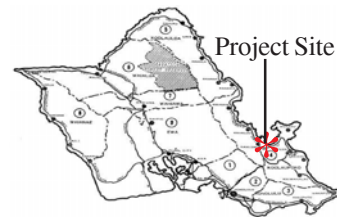
A portion of the storm drainage way (approx. 40') is located within the 40-foot shoreline setback and will require the approval of a shoreline setback variance, pursuant to Shoreline Setback Regulations, Chapter 23, Revised Ordinances of Honolulu (ROH), prior to obtaining necessary building and grading permits. The area is also located within the Special Management Area (SMA) and therefore, will require an SMA approval. According to the EA, the project will cost \$40,000, and will require an SMA approval. According to the EA, the project will cost \$40,000, and will require a minor SMA Use Permit.

The applicant proposes to construct bank stabilization improvements along the south storm drain easement of the Kane'ohe Bay Yacht Club. The project involves the north bank of the existing unlined drainage way that varies in width from 25-30 feet. The storm drain easement is owned by the City and County of Honolulu.

The proposed bank stabilization project includes:

1) Installing steel sheet piles along 160 feet of the north bank of the storm drain. The sheet piles will be driven to an average of 19 feet below the existing grade.

2) New structural fill will be placed behind the sheet piles and a new four (4)-inch thick reinforced concrete slab will cap the area behind the sheet piles.



NOVEMBER 8, 2005

Laura King Construction of Swimming Pool (HRS 343 FEA-FONSI)

District: Ko'olaupoko
TMK: (1) 4-3-8:37
Applicant: Laura King
 734 Mokulua Dr., Kailua, HI 96734
 Laura King (261-8991 ext. 235)
Approving Agency: C & C, Dept. of Planning & Permitting
 650 S King St., 7th Flr., Honolulu, HI 96813
 Contact: Steve Tagawa (523-4817)
Consultant: Applicant
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).
Permits Required: Shoreline Setback Variance, Building Permit

The applicant seeks a shoreline setback variance to: 1) Construct a new 482 square-foot (32' x 17'), below-grade, concrete (gunite) swimming pool; and 2) Retain a portion (approximately 10 square-feet) of a 2nd-floor wood deck within the shoreline setback at 734 Mokulua Drive, Lanikai, O'ahu.

The site is a 4,197 square-foot lot that is zoned R-10 Residential District. The lot contains an existing single-family dwelling and vertical concrete rubble masonry (CRM0 seawall which defines the shoreline of the site. The site is considered a shallow lot and qualified for an adjusted (less than 40-foot) shoreline setback, pursuant to Section 23-1.4(b), Revised Ordinances of Honolulu (ROH).

The applicant was issued a Notice of Violation (2004/Nov-02-095) no November 12, 2003 for the 2nd-floor deck construction within the shoreline setback.

Construction of the proposed new swimming pool and retaining the portion of the wood deck is prohibited unless a Shoreline Setback Variance is first obtained, pursuant to Chapter 23, Revised Ordinances of Honolulu.



Maui Notices

NOVEMBER 8, 2005

Berliner Residence at Alalele Place (HRS 343 FEA-FONSI)

District: Hana
TMK: (2) 1-3-009:002
Applicant: Michael & Heather Berliner
202 Wahioli Pl., Lahaina, HI 96761
Contact: Gerald Park (596-7484)

Approving Agency: DLNR-Office of Conservation & Coastal Lands
PO Box 621, Honolulu, HI 96809
Contact: Chris Pramoulmetar (587-0377)

Consultant: Gerald Park, Urban Planner
1221 Kapiolani Blvd., Ste. 211, Honolulu, HI 96814
Contact: Gerald Park (596-7484)

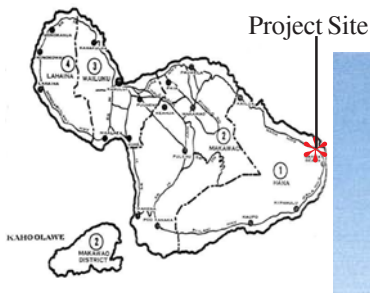
Status: Final environmental assessment (FEA) and Finding of No Significant Impact (FONSI).

Permits Required: CDUA, Wastewater Disposal System, Work in State Highway Right-of-Way, Driveway Connection, SMA Assessment Application, Building Permit

Michael and Heather Berliner, fee owners of real property situate in the District of Hana, County of Maui, propose to construct a single-family residence on property located in the State Conservation District. The dwelling will be located in the low-land area of the *ahupua'a* of Ka'eleku, District of Hana, Island and County of Maui, State of Hawai'i.

The subject property (or Berliner property) is located makai (or north) of the Hana Highway and to the east of and adjoining Alalele Place, a State road leading to the Hana Airport. The triangular-shaped lot bears TMK: 1-3-009: 002 encompassing an area of 2.93 acres.

The 3 BDR-2Bath dwelling will be sited upon land that was previously landscaped. The 2,244 square foot dwelling will be erected on a post and pier foundation with a 4-foot high crawlspace. Additional improvements include a two-car carport, a water catchment system, septic tank and leach field, and a grass driveway. Power and communication service will be extended to the dwelling on overhead lines from Alalele Place.





Withdrawals

NOVEMBER 8, 2005

The Honoka'a Health Care Facility, Phase 1 Sewer Line Easement Draft EA.

The draft Environmental Assessment, published in the June 8, 1994 OEQC Bulletin, was withdrawn on October 13, 2005 by the Department of Accounting and General Services.



Shoreline Notices

Shoreline Certifications and Rejections

Pursuant to §§13-222-26, HAR the following shorelines have been proposed for certification or rejection by the DLNR. Any person or agency wishing to appeal a proposed shoreline certification or rejection shall file a notice of appeal in writing with the department no later than 20 calendar days from the date of the public notice of the proposed shoreline certification or rejection. The Notice of appeal shall be sent to the Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

File No.	Status	Location	Applicant/Owner	TMK
OA-1053	Proposed Shoreline Certification	Lot 42 Maunalua Bay View Lots Subdivision Unit 2-B, (F.P. 1123), land situated at Maunalua, Honolulu, Island of O'ahu, Hawai'i Address: 8 Lumahai Street Purpose: Sale of Property	Kenn Nishihira/David and Linda Klein	3-9-13: 24
OA-1054	Proposed shoreline Certification	Lot 149 of Land Court Application 1052, land situated at Makaha, Wai'anae, Island of O'ahu, Hawai'i Address: 84-465 Farrington Highway Purpose: Renovations	Robert Sing/Donald and Sandra Denhart Family Trust	8-4-08: 18
OA-1055	Proposed Shoreline Certification	Lot 33 of Land Court Application 323, land situated at Kailua, Ko'olaupoko, Island of O'ahu, Hawai'i Address: 430E North Kalaheo Avenue Purpose: Building Permit	Wesley Tengan/Alison Danz	4-4-17: 18
OA-1058	Proposed Shoreline Certification	Kuhio Beach Park, Waikiki, Honolulu, Island of O'ahu, Hawai'i Address: Kuhio Beach Park Purpose: SMA Permit	State of Hawaii Department of Land and Natural Resources' Office of Conservation and Coastal Lands	2-6-01
MA-327	Proposed Shoreline Certification	Lot 51 and 52 of Makena Beach Lots, land situated at Palau'e, Honua'ula, Makawao, Maui, Hawai'i Address: Vacant Purpose: Planning for use of property	Warren S. Unemori Engineering, Inc./William and Nancy Larson	2-1-11: 16 and 17
MO-090	Proposed Shoreline Certification	Land Commission Award 8559-B, land situated at Kawela, Moloka'i, Hawai'i Address: Kamehameha V Highway Purpose: Determine Setback	Newcomer-Lee/Duane and Jacie Hart	5-4-17: 22
OQ-1057	Proposed Shoreline Certification	Hilton Hawaiian Village, Waikiki, Island of O'ahu, Hawai'i Address: 2005 Kalia Road Propose: Future Improvements	Alcon And Associates, Inc./ State of Hawai'i and Hilton Hawaiian Village, LLC	2-6-08:05, 27 & 34 and 2-3-27:21



Shoreline Notices

NOVEMBER 8, 2005

Shoreline Certification Applications

Pursuant to § 13-222-12, HAR the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kaua'i, Hawai'i and Maui and at Room 220, 1151 Punchbowl St., Honolulu, O'ahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, Hawai'i 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application. If there are any questions, please call Nick Vaccaro at (808) 587-0384.

File No.	Date	Location	Applicant/Owner	TMK
OA-983-2	10/28/05	Lot 5-A-1 Land Commission Award 7713, Apana 33, land situated at Kawaihoa, Wai'alua, Island of O'ahu, Hawai'i Address: 61-279 Kamehameha Highway Purpose: Determine Setback	Austin, Tsutsumi & Associates, Inc./Akira Satake	6-1-12: 06
OA-1061	10/28/05	Unit 6 Banyan Cove Condominium Project, land situated at Kaneohe, Ko'olaupoko, Island of O'ahu, Hawai'i Address 44-291 F Kaneohe Bay Drive Purpose: Building Permit	Sam O Hirota, Inc./Paul Silen	4-4-07: 08 (por)
OA-1062	10/28/05	Lot 13 of Land Court Application 609 (Map 1), land situated at Wai'alua, Island of O'ahu, Hawai'i Address: 68-545 Crozier Drive Purpose: Building Permit	DJNS Surveying and Mapping, Inc./Kendra D. Martyn and Kenneth A. Martyn	6-8-04: 15
MO-091	10/28/05	Lot 39 of Land Court Application 1867 (Map 2), land situated at Kawela, Island of Moloka'i, Hawai'i Address: Kamehameha V Highway Purpose: Building Permit	Newcomer-Lee/Akiyo Murata and Tan Altinbay	5-4-17: 37
MO-092	10/28/05	Lot 2-B-1 of The Kapa'akea Homesteads, land situated at Kapa'akea, Island of Moloka'i, Hawai'i Address: Kamehameha V Highway Purpose: Building Permit	Newcomer-Lee/Gayla L. Mowst (Lessee)	5-4-05: 37
LA-006	10/28/05	Land Court Application 1881 (Map 1), land situated at Ka'ohai, Island of Lana'i, Hawai'i Address: State Highway #44 Purpose: Determine Setback	R. M. Towill Corporation/Castle and Cooke Lanai Properties, LLC	4-9-02: 10



Conservation District Notices

NOVEMBER 8, 2005

Conservations District Use Permit

Persons interested in commenting on the following Conservation District Use Application (Department Permit) must submit comments to the Department of Land and Natural Resources. Also, anyone interested in receiving notification of determination on Conservation District Use Applications (Department Permits) must submit requests to DLNR that include the following information:

1. Name and address of the requestor.
2. The permit for which the requestor would like to receive notice, notice of determination; and
3. The date the notice was initially published in the Environmental Notice.

Both comments and requests for notification of determinations must be submitted to DLNR within thirty days from the initial date that the notice was published in the Environmental Notice. Please send comments and requests to:

State of Hawai'i, Department of Land and Natural Resources, Office of Conservation and Coastal Lands
1151 Punchbowl Street, Room 131, Honolulu, Hawai'i 96813

While DLNR will make every effort to notify those interested in the subject CDUA, it is not obligated to notify any person not strictly complying with the above requirements. For more information please contact Kimberly Mills at 587-0382..

1) Karleen After-the-Fact Home Alteration and Rockwall Construction

File No.: CDUA OA-3260
Applicant: Don Karleen
Location: Tantalus, O'ahu, Hawai'i
TMK: (1) 2-5-017:002
Proposed Action: After-the-Fact Home Alteration & Rock wall Construction
343, HRS
Determination: Exempt
Contact: Sandra-Ann Wong (537-2598)



2) Paradise Park After-the-Fact Public Charter School

File No.: CDUA OA-3268
Applicant: Darryl Wong
Location: Manoa, O'ahu, Hawai'i
TMK: (1) 2-9-054:018
Proposed Action: After the Fact Public Charter School
343, HRS
Determination: Exempt
Contact: Darryl Wong (943-3106)

3) Gillespie Reconsolidation and Subdivision

File No.: CDUA MA-3265
Applicant: Robert M. Gillespie, Jr
Location: Kaumakani, Hana, Maui
TMK: (2) 1-6-003:003, (2) 1-6-004:006, 007, 008 & 010
Proposed Action: Reconsolidation and Subdivision
343, HRS
Determination: Exempt
Contact: Blaine J. Kobayashi, (808) 242-4535



Coastal Zone News

NOVEMBER 8, 2005

Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d) (14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lana'i & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review and can be mailed to:

Office of Planning, Department of Business, Economic Development and Tourism,

P.O. Box 2359, Honolulu, Hawai'i 96804 or,

fax comments to the Hawai'i CZM Program at 587-2899.

(1) U.S. Coast Guard Proposed Rule for Oil Spill Removal

Federal Action: Federal Agency Activity

Federal Agency: U.S. Coast Guard

Contact: Kevin Montgomery, (202) 267-1303

Location: Waters greater than 60-foot depth surrounding the State of Hawai'i and out to the U.S. Exclusive Economic Zone

CZM Contact: John Nakagawa, 587-2878

Proposed Action:

Removal Equipment Requirements and Alternative Technology Revisions." This rule proposes changes to the requirements for oil-spill removal equipment under the vessel response plans and MTR response plans. These changes would increase the minimum available spill removal equipment required for tank vessels and MTR facilities, add requirements for new response technologies, and clarify methods and procedures for responding to oil spills in coastal waters.

Comments Due: November 22, 2005

Under the Oil Pollution Act of 1990 and Executive Order 12777, the U.S. Coast Guard (USCG) is authorized to issue regulations requiring the owners and operators of tank vessels and marine transportation-related facilities (MTR) to prepare and submit response plans. Under this authority the USCG is proposing a rule for the "Vessel and Facility Response Plans for Oil: 2003



Special Management Area (SMA) Minor Permits

Pursuant to Hawai'i Revised Statute (HRS) 205A-30, the following is a list of SMA Minor permits that have been approved or are pending by the respective county/state agency. For more information about any of the listed permits, please contact the appropriate county/state Planning Department. City & County of Honolulu (523-4131); Hawai'i County (961-8288); Kaua'i County (241-6677); Maui County (270-7735); Kaka'ako Special Design District (587-2878).

SPECIAL MANAGEMENT AREA (SMA) MINOR PERMITS		
Location (TMK)	Description (File No.)	Applicant/Agent
Honolulu: Kahe Pt (9-2-3-27)	Kahe Power Plant K2 Opacity monitoring Platform (2005/SMA-70)	Hawaiian Electric Company, Inc.
Honolulu: Makaha (8-5-17-8)	Install panel antennas, equipment cabinet, and accessory structures (2005/SMA-68)	Coral Wireless LLC / Ricky H. Taniguchi
Honolulu: Kailua (4-2-14-4)	New 35-foot monopole & accessory structures (2005/SMA-82)	Coral Wireless LLC
Kaua'i: Kekaha (1-2-2-1)	ADA improvements to Kekaha Landfill (SMA(M) 2006-10)	Kaua'i County DPW, Bldg Division
Kaua'i: Waimea (1-6-6-1)	ADA improvements to Lucy Wright Park (SMA(M) 2006-11)	Kaua'i County DPW, Bldg Division
Kaua'i: Hanapepe (1-3-8-29)	ADA improvements to Hanapepe Neighborhood Center (SMA(M) 2006-12)	Kaua'i County DPW, Bldg Division
Kaua'i: Hanapepe (1-3-8-29)	ADA improvements to Kato Field (SMA(M) 2006-13)	Kaua'i County DPW, Bldg Division
Kaua'i: Nawiliwili (3-2-3-43)	Enclose existing lanai (SMA(M) 2006-14)	Outfitters Kaua'i
Kaua'i: Nawiliwili (3-5-2-2)	Two canvas awnings (SMA(M) 2006-15)	Giuseppe Avocadi
Maui: Kihei (3-9-8-16)	Open air market place (SM2 2005-0138)	Munekio & Hiraga, Inc.
Maui: Lahaina (4-5-7-1)	Removal of Monkeypod tree (SM2 20050139)	Kaiser Foundation Health Plan
Maui: Hana (1-3-2-2)	Subdivide into 6 or 7 lots (SM2 20050140)	Arakaki, Wayne

Special Management Area Documents (Chapter 25, Revised Ordinances of Honolulu)

Since SMA-only (Chapter 25, ROH) documents do not trigger the EIS law as articulated in Chapter 343, Hawaii Revised Statutes, effective September 1, 2001 OEQC will no longer review these documents for completeness or adequacy. However, OEQC will continue to provide notice of these projects as a public service. Questions regarding the adequacy, completeness and availability of these documents should be addressed directly to the county contact listed below.

Anahulu Center

Applicant: Juliana Simone
Craig Collado (637-9100)
Agent: South Pacific Design Group
Craig Collado (637-9100)
Location: 66-030 Kam Hwy, Hale'iwa
TMK: (1) 6-2-12:29
Proposal:

new building will require the installation of an individual waste-water system (IWS). Additional landscaping and the repainting, re-roofing and minor repairs to the existing building are proposed.

The entire site is located within the Special Management Area and therefore requires the approval of a SMA Use Permit from the Honolulu City Council. The proposed building, located in the B-1 Neighborhood Business District, also exceeds the 30-foot height limit and may require a Zoning Height Variance from the Department of Planning and Permitting. The site is also in the Hale'iwa Special Design District and construction of a new building will require a Major Special District (SDD) permit.

The total cost of the proposed project is estimated at \$800,000.

The applicant proposes to construct a new three (3)-story commercial office building at the old Hawai'i Thrift and Loan (Bishop Bank) Building in Hale'iwa. The new building would be constructed behind the existing building, which will be retained. The new building would have a partially excavated (three [3] feet) parking area under the two (2) floors of office space. The

Pollution Control Permit Applications

Department of Health Permits

The following three pages contain a list of some pollution control permits currently before the State Department of Health. For more information about any of the listed permits, please contact the appropriate branch or office of the Environmental Management Division at 919 Ala Moana Boulevard, Honolulu. Abbreviations are as follows: **CAB** - Clean Air Branch; **CD** - comments due; **CSP** - Covered Source Permit; **CWB** - Clean Water Branch; **I** - issued; **SHWB** - Solid and Hazardous Waste Branch; **SDWB** - Safe Drinking Water Branch; **N** - none; **NPDES** - National Pollutant Discharge Elimination System under the Federal Clean Water Act; **R** - received; **T** - temporary; **UIC** - Underground Injection Control; **NA** - not applicable.

Solid Hazardous Waste Branch

Branch/Application Type	Applicant & Application No.	Facility Location	Received	Proposed Use
(SHWB) Solid Waste Management Permit (New)	Arizumi Tire Disposal, WT-0049-05	500 Kalaniana'ole St., Hilo HI 96720	8/26/2005	Used Tire Processing
(SHWB) Solid Waste Management Permit (Renew)	Honolulu Resource Recovery Venture, IN-0050-05	91-174 Hanua St., Kapolei HI 96707	9/6/2005	Incinerator
(SHWB) Solid Waste Management Permit (New)	Mattos Towing, SV-0051-05	16-136 Liilii St., Kea'au HI 96749	9/13/2005	Auto Salvage
(SHWB) Solid Waste Management Permit-by-Rule (New)	Kaua'i Aggregates, RY-0052-05	Halewili Rd./Quarry Dr.	9/19/2005	Recycling
(SHWB) Solid Waste Management Permit (Renew)	Ken's Towing Service, SV-0053-05	55 Kukila St., Hilo HI 96720	9/20/2005	Auto Salvage
(SHWB) Solid Waste Management Permit (Renew)	Leo's Reycle/Leo's Rubbish Service, Inc., RY-0054-05	271 Kekuana'oa St., Hilo HI 96720	10/17/2005	Used Tire Processing
(SHWB) Solid Waste Management Permit (Renew)	AES Hawai'i, Inc., RY-0055-05	91-086 Kaomi Lp., Kapolei HI 96707	10/25/2005	Recycling



Pollution Control Permit Applications

NOVEMBER 8, 2005

Safe Drinking Water Branch

Br. & Permit Type	Applicant & Permit No.	Project Location	Pertinent Dates	Proposed Use
SDWB, 586-4258, UIC Permit	Richard Smart Trust UH-2395	Paniolo Country Inn; (3)6-5-5:21 65-1214 Lindsey Road, Kamuela, HI	n/a	Abandon 2 unregistered injection-well cesspools.
SDWB, 586-4258, UIC Permit	Ke'auhou Community Services, Inc. UH-2396	Keauhou Sewer Pump Station; (3)7-8-10:44; Kaleopapa Road, Kailua-Kona, HI	n/a	Abandon 1 unregistered injection-well cesspool.
SDWB, 586-4258, UIC Permit	Hawai'i Planing Mill, Ltd. UH-2400	HPM Building Supply Waimea Branch; 64-1027 Mamalahoa Highway, Waimea, S. Kohala, HI	n/a	Construct 9 injection wells for surface drainage.
SDWB, 586-4258, UIC Permit	Hale Wailani Partners, L.P. UH-2063	Ouli Makai Subdivision; (3)6-2-1:18,74 & 75;Ouli, S. Kohala, HI	n/a	Construct 12 injection wells for surface drainage.
SDWB, 586-4258, UIC Permit	Dept of Parks & Rec. County of Maui UM-2394	Wahikuli Beach Park North; (2)4-5-16:var.; Honoapi'ilani Hwy, Lahaina, HI	n/a	Abandon 2 unregistered injection-well cesspools.
SDWB, 586-4258, UIC Permit	Hana High & El Sch. DOE, State of Hawai'i UM-2399	Hana High & Elementary School; 4111 Hana Highway, Hana, HI	n/a	Abandon 1 unregistered injection-well cesspool.
SDWB, 586-4258, UIC Permit	Dept. of Parks & Rec. County of Maui UM-2403	Launiupoko Beach Park; (2)4-7-1:17; Honoapi'ilani Highway, Lahaina, HI	n/a	Abandon 3 unregistered injection-well cesspools.
SDWB, 586-4258, UIC Permit	Kalaeloa Partners, L.P. UO-1496	Kalaeloa Cogeneration Power Plant; 91-111 Kalaeloa Blvd., Kapolei, HI	n/a	Modify 2 injection wells to increase depth and bottom diameters for industrial wastewater disposal.
SDWB, 586-4258, UIC Permit	Roy Uyehara UO-2397	Fast Stop Mililani; 95-116 Kamehameha Highway, Mililani, HI	n/a	Abandon 2 unregistered injection-well cesspools.
SDWB, 586-4258, UIC Permit	CFI, Inc. UO-2398	Kai Ikena at Honokaa; (3)4-5-10:82; Old Mamalahoa Hwy, Honokaa, Hamakua, HI	n/a	Construct 8 injection wells for surface drainage.
SDWB, 586-4258, UIC Permit	DLNR-Division of State Parks UO-2402	He'eia State Park; (1)4-6-5:9; 46-465 Kamehameha Highway, Kane'ohe, HI	n/a	Abandon 1 unregistered injection-well cesspool.
SDWB, 586-4258, UIC Permit	DLNR-Division of State Parks UO-2401	Malaekahana State Recreation Area; (1)5-6-1:14; 56-119 Kamehameha Hwy, Kahuku, HI	n/a	Abandon 1 unregistered injection-well cesspool.
SDWB, 586-4258, UIC Permit	Lawai Beach Resort AOA O UK-1348	Lawai Beach Resort STP; 5017 Lawai Road, Poipu, Koloa, HI	n/a	Renew permit for 6 injection wells for sewage disposal.
SDWB, 586-4258, UIC Permit	DLNR-Division of State Parks UK-2404	Russian Fort Elizabeth State Historic Park; (4)1-7-5:3; Kaumu'ali'i Hwy., Waimea, HI	n/a	Abandon 1 unregistered injection-well cesspool.

Pollution Control Permit Applications

NOVEMBER 8, 2005

Environmental Enforcement Report

Administrative Environmental Enforcement Report for July-Sept 2005										
Inspections & Responses	Warning Notices	Formal Cases Issued ²	Penalties Sought ³	Formal Cases Resolved ⁴	Penalty Results July-Sept 2005		Days to Resolve ⁶ Formal	Number of Active S.E.P.s	Formal Cases Pending	
					Cash () = # of cases \$ = cash amt	S.E.P.'s () = # of cases \$ = cash amt				
July-Sept 2005	July-Sept 2005	July-Sept 2005	July-Sept 2005	July-Sept 2005			Cases: Range/Average	Total to Date	Total to Date	
Clean Air Branch										
Fugitive Dust	198	8	4	\$2,900	3	(3) \$1,400	--	0	2	
Noncovered Sources	6	4	2	\$20,400	3	(2) \$12,700	--	0	2	
Covered Sources	5	13	2	\$27,700	1	(1) \$5,300	--	1	6	
Agricultural Burning	27	2	0	\$0	0	--	--	0	0	
Open Burning	32	2	1	\$100	1	(1) \$100	--	0	0	
Others	61	1	0	\$0	0	--	--	0	0	
TOTAL	329	30	9	\$51,100	8	(7) \$19,500	0	1	10	
Solid & Hazardous Waste Branch										
Underground Storage Tanks	110	10	9	\$3,950	0	(9) \$3,450	0	0	1	
Hazardous Waste	66	31	2	\$150,500	1	(1) \$200,000	0	0	7	
Solid Waste	95	10	1	\$3,000	-	-	-	3	8	
TOTAL	271	51	12	\$157,450	1	(10) \$203,450	0	3	16	
Clean Water Branch										
Permitted Discharges (NPDES)	35	3	0	\$0	1	0	0	2	3	
Non-permitted Discharges	69	2	0	\$0	1	0	0	2	1	
Water Quality Certifications	2	0	0	\$0	0	0	0	0	0	
TOTAL	106	5	0	\$0	2	0	0	4	4	
Wastewater Branch										
Wastewater Treatment Plants	41	0	1	\$100	0	0	0	1	4	
Individual Wastewater Systems	181	20	8	\$1,000	0	(6) \$700	0	0	9	
Animal Waste	2	0	0	\$0	0	0	0	0	0	
Other	3	0	0	\$0	0	0	0	0	0	
TOTAL	227	20	9	\$1,100	0	(6) \$700	0	1	13	
Safe Drinking Water Branch										
Public Water Systems	68	4	0	\$0	0	0	0	0	0	
Wells - Underground Injection Control	342	2	0	\$0	0	0	0	0	0	
TOTAL	410	6	0	\$0	0	0	0	0	0	
Hazard Evaluation & Emergency Response										
Oil Spills	11	3	0	\$0	0	0	0	0	0	
Hazardous Waste Releases	9	2	0	\$0	0	0	0	0	0	
TOTAL	20	5	0	\$0	0	0	0	0	0	
TOTAL	1,345	117	30	\$209,650	11	(23) \$223,650	0	9	43	
¹ Informal letters warning a person or entity that they are violating environmental laws normally requiring corrective action by a specified deadline. Informal actions generally cover less serious issues such as small infractions by individuals, or violations of permit technicalities which do not directly impact environmental quality.										
² Formal enforcement cases generally cover any serious violation and repeat or continued violations of permits or the law. Warning letters, if not adequately responded to, can lead to formal actions. Specifically, formal cases are administrative enforcement proceedings that typically include a formal notice of violation and an order. Orders often require corrective action, reports, and payment of a penalty. This section also includes field citations.										
³ The amount of the penalty result might not equal the amt sought at issuance. Consent orders or other agreements, as well as negotiating S.E.P.s, may raise or lower the final penalty amt.										
⁴ Formal cases are concluded by settlements or final orders from which no further appeal is available.										
⁵ A Supplemental Environmental Project (S.E.P.) or Environmentally Beneficial Project may be undertaken in addition to or partial or total substitute for, a comparable monetary penalty, depending on the program.										
⁶ Resolution time is measured from discovery date of violation to case conclusion of a formal order. It does not include the time to implement settlements.										

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⁶ Resolution time is measured from discovery date of violation to case conclusion of a formal order. It does not include the time to implement settlements.

Pollution Control Permit Applications

NOVEMBER 8, 2005

Clean Air Branch

Br. Permit Type	Applicant & Permit No.	Project Location	Pertinent Date	Proposed Use
CAB, 586-4200, NSP	Equilon Enterprises, LLC, dba Shell Oil Products US NSP 0092-02-N (Amendment and Renewal)	789 North Nimitz Highway, Honolulu, O'ahu	Issued: 10/20/05	Shell Honolulu Terminal
CAB, 586-4200, NSP	Unitek Solvent Services, Inc. NSP 0395-01-N (Modification)	91-125 Ka'omi Loop, Kapolei, O'ahu	Issued: 10/21/05	70 HP Boiler, 745 kW Diesel Engine Generator and Waste Oil Reprocessing Facility
CAB, 586-4200, CSP	Kaua'i Aggregates CSP 0332-01-C (Modification)	Halewili Road, Ele'e'ele, Kaua'i	Comments Due: 11/28/05	320 tph Stone Quarrying and Processing Plant
CAB, 586-4200, T-NSP	C. J. Peterson Services, Inc. NSP 0483-01-NT (Renewal)	Various Temporary Sites, State of Hawai'i Initial Location: 42-477 Kalaniana'ole Highway, Women's Correctional Facility, Kailua, O'ahu	Issued: 10/20/05	400 tph Power Screen
CAB, 586-4200, T-NSP	Koga Engineering & Construction, Inc. NSP 0601-01-NT	Various Temporary Sites, State of Hawai'i Initial Location: Aupuni Street and Kilauea Avenue, Hilo, Hawai'i	Issued: 10/24/05	400 tph Power Screen
CAB, 586-4200 T- NSP	Kaua'i Nursery and Landscaping, Inc. NSP 0599-01-NT	Various Temporary Sites, State of Hawai'i Initial Location: 3-1550 Kaumu'ali'i Highway, Lihue, Kaua'i	Issued: 10/24/05	120 TPH Portable Tub Grinder and Two Portable Screening Plants



Environmental Tip

Cultural resources and practices

Within an ahupua'a, there are many resources that support cultural practices. These resources may include native flora with documented ethnobotanical usage. Examples of this include ko'oko'olau (*Bidens* sp.), noni (*Morinda citrifolia*), uhaloa (*Waltheria indica*). Does the mere existence of these resources imply gathering activities? Not necessarily – and the early consultation process of the environmental assessment process invites experts such as social scientists and ethnobotanists to further investigation using field visits and literature searches. Other resources may not be readily discernible and include specific landmarks or geographical features used in navigating, fishing, surfing or for religious practices.



National Environmental Policy Act

NOVEMBER 8, 2005

NOAA Ship Operations Facility, Ford Island, O'ahu, Hawai'i

District: 'Ewa
TMK: (1)9-9-001:015
Proposing Agency: Commander, Navy Region Hawai'i, Naval Facilities Engineering Command, Pacific Environmental Planning Division, 258 Makalapa Dr., Ste. 100, Pearl Harbor, HI 96860-3134
Contact: Christine Fong (472-1396)
Approving Agency: Department of the Navy, Commander, Naval Installations Command, 2713 Mitscher Rd SW Anacostia Annex, DC 20373-5802
Contact: Kelli Ackiewicz, (202-433-4960)
Consultant: TEC Inc.
1001 Bishop St., Ste. 1400, Honolulu, HI 96813
Contact: Ryan Pingree (528-1445)
Comment
Deadline: December 8, 2005

Commander, Navy Region Hawai'i (CNRH) has prepared an Environmental Assessment (EA) and determined that an Environmental Impact Statement is not required for the National Oceanic and Atmospheric Administration (NOAA) Ship Operations Facility (SOF), Ford Island, Pearl Harbor, O'ahu, Hawai'i. Based on information gathered during preparation of the EA, the Navy finds that the NOAA SOF will not significantly impact human health or the environment.

CNRH proposes to issue a Real Estate Agreement to NOAA for use of S383 (Pier F-10), S384 (Pier F-9), S291 (small boat dock), S368 (seaplane ramp), Building 184, and laydown space on Ford Island for NOAA's SOF. NOAA would then repair, improve, and maintain these berthing and operational facilities. Building 184 would be renovated and used for personnel offices and warehouse space. Laydown space, a storage building, and connector roads would be constructed.

The Proposed Action would have an adverse effect to contributing properties and the historic character of the United States Naval Base, Pearl Harbor National Historic Landmark. CNRH has completed a National Historic Preservation Act Section 106 review by consulting with the State Historic Preservation Officer and other consulting parties, affording the Advisory Council on Historic Preservation and National Park Service the opportunity to comment, and executing a Memorandum of Agreement. With the implementation of Best Management Practices, there would be no significant impacts to physical conditions or marine biological resources under the Proposed Action.

The Proposed Action would not result in significant adverse impacts on the following resource areas: infrastructure; health and safety; socio-economics; land use; and public facilities, services, and recreation. The Proposed Action will not create environmental health and safety risks that may disproportionately affect children and minority or disadvantaged populations and would not result in cumulative impacts to any environmental resources. CNRH has determined that the Proposed Action would not have reasonably foreseeable direct and indirect effects on any coastal use or resources of the State's coastal zone.

Building 23 Demolition, Ford Island, Pearl Harbor Naval Complex, O'ahu, Hawai'i

District: Honolulu
TMK: (1)9-9-01:8
Proposing Agency: Naval Facilities Engineering Command, Hawai'i
400 Marshall Rd, Pearl Harbor, HI 96860-3139
Contact: Mel Ramos (808-471-1171, ext. 269)
Approving Agency: Department of the Navy,
Commander, Naval Installations Command
2713 Mitscher Rd SW Anacostia Annex, DC
20373-5802
Contact: Kelli Ackiewicz, (202-433-4960)

Commander, Navy Region Hawai'i (CNRH) has prepared an Environmental Assessment (EA) and determined that an Environmental Impact Statement is not required for the proposed Building 23 Demolition, Ford Island, Pearl Harbor Naval Complex, O'ahu, Hawai'i.

The Proposed Action is to demolish Building 23 on Ford Island. The project includes demolition of foundations, wooden structure, carport, slabs, sidewalks, and lanais around the building. The site will be graded and planted with grass. Hazardous materials in the structure (i.e., lead paint, and asbestos) will be abated and disposed. Demolition of this dilapidated building would enhance the visual environment; improve health and safety, and quality of life of the residents of Nob Hill Family Housing area on Ford Island. The Proposed Action will reduce CNRH's shore infrastructure costs, demolish underutilized facilities and consolidate housing assets on Ford Island and throughout CNRH.

Based on information gathered during preparation of the EA, the Navy finds that the proposed Demolition of Building 23 project will not significantly impact human health or the environment.

NOVEMBER 8, 2005

Fishery Meetings

The Western Pacific Fishery Management Council will hold its 129th meeting to consider and take actions on fishery management issues in the Western Pacific Region on November 8-11, 2005, at the Hilton Guam, 202 Hilton Road, Tumon Bay, Guam. For agenda information and other details, please call Kitty M. Simonds, Executive Director, at (808) 522-8220 (see, 70 F.R. 61597, October 25, 2005).

Three-Judge Panel to Oversee Airport Irradiator Public Hearing

A panel consisting of three administrative judges (known as the Atomic Safety and Licensing Board Panel) has been established by the Nuclear Regulatory Commission (see, 70 F.R. 44396, August 2, 2005) regarding the June 27, 2005 application of Pa'ina Hawai'i, LLC, for authorization to build and operate a commercial pool-type industrial irradiator in Honolulu, Hawai'i, near the Honolulu International Airport [Docket No. 30-36974-ML, ASLBP No. 06-843-01-ML]. This proceeding concerns an October 3, 2005 request for hearing regarding the application submitted by the Concerned Citizens of Honolulu. The panel, chaired by administrative judge Thomas S. Moore, will consist of Dr. Paul B. Abramson, and Dr. Anthony J. Baratta. All correspondence, documents, and other materials shall be filed with the administrative judges in accordance with 10 C.F.R. 2.302 (see, 70 F.R. 60858, October 19, 2005).

Kaloko-Honokohau National Historical Park

Na Hoapili O Kaloko Honokohau, Kaloko-Honokohau National Historical Park Advisory Commission will meet on November 18, 2005, at 9:00 A.M. in the morning at park headquarters in Kailua-Kona. The agenda will be on discussions on the preliminary planning for the Live-In Cultural/Education Center. The meeting is open to the public. Disabled persons requiring special assistance should contact the Superintendent at (808) 329-6881 ext 7, seven days prior to the meeting. Minutes will be recorded for documentation and transcribed for dissemination. Minutes of the meeting will be available to the public after approval of the full Advisory Commission. Transcripts will be available after 30 days of the meeting. For copies of the minutes, call (808) 329-6881 (see, 70 F.R. 61641, October 25, 2005).

Department of Justice Seeks Public Comments on Partial Consent Decree under Clean Water Act

On October 6, 2005, a proposed Consent Decree in United States and Department of Health, State of Hawai'i v. Hawai'i Department of Transportation, Civil Action No. 05-00636 was lodged with the United States District Court for the District of Hawai'i. The United States and the Department of Health, State of Hawai'i (DOH), brings this action against the State of Hawai'i Department of Transportation (HDOT), pursuant to Sections 309(b) and (d), of the Clean Water Act (CWA), 33 U.S.C. 1319(b) and (d) and Sections 342D-50(a) of the Hawai'i Revised Statutes (2004). The Consent Decree provides for extensive injunctive relief, civil penalties, and two supplemental environmental projects (SEPs). Pursuant to the terms of the first project, HDOT will create an Environmental Management System (EMS) for the operations at HDOT's airports, harbors, and highways that incorporate Best Management Practices and Pollution Prevention at each of its facilities. Under the terms of the second project, HDOT will develop and conduct "Compliance Assistance Workshops" for construction contractors and will sponsor them at six locations on four of the islands, Hawai'i, Kaua'i, Maui and O'ahu. Pursuant to 28 C.F.R. 50.7, the United States Department of Justice will receive, for a period of thirty (30) days from October 26, 2005, comments relating to the Consent Decree. Comments should be addressed to the U.S. Department of Justice, Assistance Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611, and should refer to United States and Department of Health, State of Hawai'i v. Hawai'i Department of Transportation, Civil Action No. 05-00636, D.J. Ref. No. 90-5-1-1-07488. The Consent Decree may be examined during the public comment period on the following Department of Justice Web site: <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044-7611, or by faxing or send a request by electronic mail to Tonia Fleetwood (tonia.fleetwood@usdoj.gov). When requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$25.25 (25 cents per page reproduction cost) payable to the U.S. Treasury (see, 70 F.R. 61842, October 26, 2005).



Environmental Announcements

NOVEMBER 8, 2005

2006 OEQC Environmental Notice Calendar

Submission	Publication	30 Days	45 Days
December 27, 2005	January 8, 2006	February 7, 2006	February 22, 2006
January 10, 2006	January 23, 2006	February 22, 2006	March 9, 2006
January 27, 2006	February 8, 2006	March 10, 2006	March 28, 2006
February 10, 2006	February 23, 2006	March 28, 2006	April 10, 2006
February 24, 2006	March 8, 2006	April 7, 2006	April 24, 2006
March 13, 2006	March 23, 2006	April 24, 2006	May 8, 2006
March 29, 2006	April 8, 2006	May 8, 2006	May 23, 2006
April 11, 2006	April 23, 2006	May 23, 2006	June 7, 2006
April 26, 2006	May 8, 2006	June 7, 2006	June 22, 2006
May 11, 2006	May 23, 2006	June 22, 2006	July 7, 2006
May 26, 2006	June 8, 2006	July 10, 2006	July 24, 2006
June 13, 2006	June 23, 2006	July 24, 2006	August 7, 2006
June 26, 2006	July 8, 2006	August 7, 2006	August 22, 2006
July 12, 2006	July 23, 2006	August 22, 2006	September 6, 2006
July 27, 2006	August 8, 2006	September 7, 2006	September 22, 2006
August 10, 2006	August 23, 2006	September 22, 2006	October 9, 2006
August 28, 2006	September 8, 2006	October 9, 2006	October 23, 2006
September 13, 2006	September 23, 2006	October 23, 2006	November 8, 2006
September 27, 2006	October 8, 2006	November 8, 2006	November 22, 2006
October 11, 2006	October 23, 2006	November 22, 2006	December 7, 2006
October 26, 2006	November 8, 2006	December 8, 2006	December 26, 2006
November 13, 2006	November 23, 2006	December 26, 2006	January 8, 2007
November 28, 2006	December 8, 2006	January 8, 2007	January 22, 2007
December 13, 2006	December 23, 2006	January 22, 2007	February 6, 2007

Note: Please submit the following to OEQC by 4:30 p.m. of the submission day:

- 1) Agency Transmittal Letter
- 2) Four copies of EA/EIS
- 3) If submitting a pdf copy of the project:
 - a. 2 hard copies of the EA/EIS
 - b. 1 CD of the project in pdf format
- 4) OEQC Publication Form; and
- 5) Project summary on disk or email